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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/126,833	07/30/1998	HIROTO OKA	1232-4459	9355

27123 7590 01/13/2005

MORGAN & FINNEGAN, L.L.P.  
 3 WORLD FINANCIAL CENTER  
 NEW YORK, NY 10281-2101

EXAMINER

HANNETT, JAMES M

ART UNIT PAPER NUMBER

2612

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/126,833

Applicant(s)

OKA ET AL.

Examiner

James M Hannett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12, 14-19 and 21-26 is/are allowed.
- 6) ☒ Claim(s) 13, 20 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/30/1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/19/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 7/19/2004 have been fully considered but they are not persuasive. The applicant argues that in Kuno it is only when a camera control privilege obtain request which includes no control parameters is received that a client who is not registered is registered in the camera control queue. The applicant argues that therefore, Kuno fails to teach that when the camera control command is received from the client who is not registered and there is no other client registered, a camera server both registers the client and controls the camera in accordance with the camera control command.

The examiner disagrees with the applicant. The examiner views the process of granting camera control to a user when they are at the top of the queue as the process of registering the client. Furthermore, the control unit will control the camera in accordance with the camera control command (116-118) only when the user is at the top of the queue and has been granted control privileges. This process is performed if the client is not registered in the register unit (not currently at the top of the queue). Furthermore, the client will not be granted access if there is another client registered (at the top of the queue). In other words, the camera control request as depicted in Figure 4B contains message and client ID information, this information allows the camera control system to determine if the client is a subscriber. If the client is a subscriber the camera control request data is placed in the queue. When there are no other users that have requested access to the camera, the client is at the top of the queue and therefore becomes registered. At this point the camera control commands (116-188) are executed.

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A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/19/2004 has been entered.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1:** Claims 13, 20, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,067,624 Kuno.

**2:** As for Claim 13, Kuno teaches on Column 3, Lines 51-52 and Column 4, Lines 60-62 A camera server (11) for controlling a video camera (11a) in accordance with an input video camera control command (116-118), comprising. Control unit for controlling the video camera in accordance with a video camera control command (116-118) issued by a client (13a) granted a video camera control right; Kuno teaches on Column 1, Lines 63-65 the use of register means for registering (granting control to) a plurality of clients, who have issued an obtain request to obtain a control privilege. Register unit for registering (granting control to) at least a client requesting acquisition of a video camera control right. and reception unit for receiving a video camera control command (116-118) from a client (13a). Wherein if the video camera control command

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(116-118) from a client not registered in the register unit is received, the register unit registers the client if there is not other client registered, and the control unit controls the video camera in accordance with the video camera control command. Kuno further teaches on Column 5, Lines 11-13 that if the camera server determines if a client is included in a camera control queue and if not included the client is added to the camera control queue. Furthermore, control request transmitting unit for transmitting a video camera control right acquisition request for a video camera to be placed to the camera server, (the video camera control right acquisition request is viewed by the examiner as the data sent to the camera server in order to give a user control of the camera. Specifically the message ID and Client ID (114 and 115) as depicted in Figure 4B is viewed as an acquisition request because the user sends ID information in an attempt to let the server know that they are a registered user. This acquisition request data can also be sent without control parameters as depicted in Figure 4A). This acquisition request (114 and 115) is transmitted as the header information in a packet that includes the camera control command (116-118). Therefore, the header information is sent in response to a user entering camera control parameters via the scroll bar. Kuno teaches on Column 4, Lines 13-25 the use of a server capable of managing control requests of a camera that are sent by plural camera control clients

3: In regards to Claim 20, Claim 20 is rejected for the reasons discussed above related to claim 13 (since claim 13 is substantively equivalent to claim 20).

4: As for Claim 27, Claim 27 is rejected for the reasons discussed above related to claim 13 (since claim 13 is substantively equivalent to claim 27).

***Allowable Subject Matter***

5: Claims 1-12, 14-19, and 21-26 are allowed.

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The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach the use of a video camera control right acquisition request which includes information to issue a permission of the video camera control right wherein the camera control command does not include the information to issue a permission of the video camera control right.

***Conclusion***

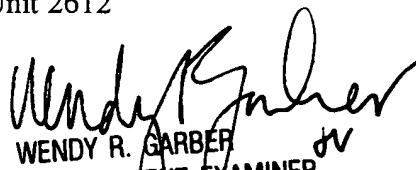
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett  
Examiner  
Art Unit 2612

JMH  
January 10, 2005

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600